



**Board for Judicial Administration (BJA) and  
Court Management Council (CMC) Joint Meeting**  
**Friday, November 15, 2019, 9:00 a.m. – 12:00 p.m.**  
AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

## MEETING MINUTES

### **BJA Members Present:**

Chief Justice Mary Fairhurst  
Judge Greg Gonzales, Member Chair  
Judge Doug Federspiel  
Judge Michelle Gehlsen  
Judge Dan Johnson  
Judge Robert Lawrence-Berrey  
Judge Linda Lee  
Judge David Mann (by phone)  
Judge Sam Meyer  
Rajeev Majumdar  
Terra Nevitt  
Judge Kevin Ringus  
Dawn Marie Rubio  
Judge Michael Scott  
Justice Debra Stephens  
Judge Kitty-Ann VanDoorninck

### **CMC Members Present:**

Derek Byrne  
Susan Carlson  
Patti Kohler  
Frank Maiocco  
Kim Morrison (by phone)  
Brooke Powell (by phone)  
Dennis Rabidou  
Jane Severin (by phone)  
Dawn Williams  
Margaret Yetter

### **Guests Present:**

Esperanza Borboa  
Vonnie Diseth  
Judge Kristin Ferrera  
Pamela Harman-Beyer (by phone)  
Jennefer Johnson  
Judge Lisa Leone  
Judge Rebecca Robertson  
Kyle Sciuchetti  
Fona Sugg  
Tristen Worthen

### **Public Present:**

Page Carter

### **Administrative Office of the Courts (AOC) Staff Present:**

Crissy Anderson  
Judith Anderson  
Jeanne Englert  
Sharon Harvey  
Penny Larsen  
Dirk Marler  
Dory Nicpon  
Caroline Tawes

### Call to Order

Chief Justice Fairhurst called the meeting to order at 9:00 a.m. and the members introduced themselves.

### Judicial Information System Committee (JISC)

Vonnie Diseth presented a review and update on the JISC. The materials were included in the meeting packet, and addressed the major accomplishments of the JISC, the information technology governance process, and a review of current JISC projects.

### Court Management Council (CMC)

Dawn Marie Rubio reviewed the mission of the CMC and an update on current projects. She also presented the Court Manager of the Year Award. The 2019 award winners were Jennefer Johnson, Des Moines Municipal Court Administrator, and Fona Sugg, Chelan County Superior Court Administrator.

Associations represented on the CMC gave reports. The Association of Washington Superior Court Administrators (AWSCA) is working on their spring conference curriculum. Some of the spring conference sessions will be joint sessions with the Superior Court Judges' Association (SCJA). The AWSCA Legislative Liaison is working with other legislative committees, and is engaged in conversations regarding the implementation of weapons surrender legislation.

The District and Municipal Court Management Association (DMCMA) regional trainings on implicit bias were well-received. The 2020 regional trainings will focus on change management and data cleanup, as well as celebration of the 50<sup>th</sup> anniversary of the DMCMA.

The Washington Association of Juvenile Court Administrators (WAJCA) is working on a legislative agenda, a retreat calendar, and investigating research- and data-driven decisions. There has been a lot of personnel turnover, and the WAJCA is considering how to move forward.

The Washington State Association of County Clerks (WSACC) is also preparing their legislative agenda and preparing for their spring and summer conferences.

The Court of Appeals is moving forward with their Electronic Case Management System (ECMS) and OnBase. The next steps include a fully-electronic court and implementing a public information system. Each division of the Court of Appeals held a 50<sup>th</sup> anniversary celebration.

Susan Carlson announced there will be a reception at the Temple of Justice in honor of Chief Justice Fairhurst's retirement. Justice Stephens will be sworn in as the next Chief Justice on January 6, 2020. The new justice has not been appointed. The Supreme Court has been working with the Court of Appeals on the inmate e-filing project.

### Judicial Leadership Summit (JLS) Follow-up

The participants separated into small groups to discuss four questions from the JLS. After a discussion, the groups reported back.

1. Briefly describe a court operational/facility process or practice that could be more efficient.

- a lack of resources makes court security difficult;
- funding is needed from the state;
- a security resource expert at AOC would be helpful;
- a law enforcement person for training of court personnel would be helpful.

Challenges include:

- not creating barriers to access while improving security.

Markers to indicate improvements are working:

- is security better or more present?
- before and after surveys or secret shoppers.

Shared experiences include:

- challenges in movement of prisoners in a courthouse;
- more dialog about lack of resources;
- focus on easy fixes.

2. Briefly describe a document or records management process or practice that you encounter in your court that could be more efficient. As a group, decide on one efficiency and answer the questions below.

Focusing on records management efficiency, the group discussed the pilot juvenile probation program in Kitsap County.

- an off-the-shelf product was moved into the Odyssey system, which was lower cost and reduced duplication;
- Odyssey has better reports, and data entry errors and paper files were eliminated;
- there are case management inefficiencies and duplication of work.

Potential challenges include:

- the cost of implementing and maintaining the system;
- potential security issues.

3. Briefly describe a case flow or case management process that you encounter in your court that could be more efficient. As a group, decide on one efficiency and answer the questions below.

This group focused on automation with the OCourt system.

Inefficiencies include:

- forms and fields are not customizable. Changes to the forms take time;
- customization would be expensive.

Challenges include:

- cost;
- how OCourt will work with the state case management system .

4. Briefly describe an issue related to self-represented litigants that you encounter which could be more efficient. As a group, decide on one efficiency and answer the questions below.

Two groups discussed this question.

Inefficiencies include:

- the public's lack of knowledge;
- the challenge of distinguishing legal advice from legal information;
- self-represented litigants slow the process;
- self-represented litigants and court staff become frustrated.

Resources to improve the process include:

- funding; possibly counties could share resources;
- limited license legal technicians;
- courses for the public on how to go to court;
- technology such as web sites, a video with basic information, a public service announcement or frequently asked questions, and a public access computer in the court.

### Washington State Bar Association (WSBA) Structure Workgroup

Chief Justice Fairhurst thanked Dory Nicpon and Margaret Shane for their work on the WSBA Structure Workgroup. Dory Nicpon reviewed the history of the Workgroup and the recommendations to the Supreme Court that were supported by a majority of the Workgroup. There will be two-hour work sessions on November 21 and 22 where the recommendations and the Supreme Court's decisions will be presented to the Senate Law and Justice Committee and the House Civil Rights and Judiciary Committee.

Justice Stephens clarified that the Legislature requested a report from the Workgroup, not a position. Although it may appear that the Supreme Court is divided, they are committed to working with the WSBA and interested parties.

### Standing Committee Reports

**Budget and Funding Committee (BFC):** No report.

**Court Education Committee (CEC):** The CEC voted to approve the online education budget submission. Online education budget request toolkits are available online for

anyone who wishes to use them in discussions with legislators. The annual Faculty Development program was held in November. The online education resources and webinars on Inside Courts will be revamped. This project is expected to take six to eight months.

**Legislative Committee (LC):** The intra-branch discussion on artificial intelligence and algorithmic tools has been postponed. Dory Nicpon reviewed the possible budget impacts of Initiative 976.

**Policy and Planning Committee (PPC):** The PPC is focused on therapeutic courts. Members will reach out to the SCJA and DMCJA therapeutic court committees to make sure there is no duplication of efforts. The PPC is updating its work plan, including a focus on adequate and stable funding. Next year, the PPC will address BJA diversity, and will share that information with the BJA next March or May. They will also be exploring the idea of a central pool of law clerks and will coordinate with the SCJA.

#### BJA Task Force Updates

**Court Security Task Force:** The Court Security Task Force Report is continuing to poll courts with no front entrance security. The Task Force is also polling a sample of courts regarding their court security budget. Justice González will join the Task Force.

**Court System Education Funding Task Force:** The Legislative Toolkit and other information is available online, along with updated versions of the talking points and questions and answers. Jeanne Englert will send a widely-broadcast e-mail with this information once the judicial branch budget has been submitted to the legislature.

#### Public Trust and Confidence Committee

The Public Trust and Confidence Committee submitted nominations for three positions. Information on the nominees was included in the meeting materials.

**It was moved by Judge Ringus and seconded by Judge Scott to approve the three nominations, Renea Campbell, Chris Gaddis, and Fé Lopez, for membership in the Public Trust and Confidence Committee. The motion carried unanimously.**

#### October 18, 2019 Meeting Minutes

The October 18, 2019, BJA meeting minutes were deemed approved by Chief Justice Fairhurst.

Information Sharing

- Judge Gonzales thanked Chief Justice Fairhurst for her engaging and inspiring leadership. Many other BJA members echoed these thoughts.
- Judge Federspiel updated the BJA members on Judge Michael McCarthy's health.

Other

There being no further business, the meeting was adjourned at 11:59 a.m.

**Recap of Motions from the October 18, 2019 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the all three nominations for membership in the Public Trust and Confidence Committee. The motion carried unanimously.	Passed

**Action Items from the November 15, 2019 Meeting**

<b>Action Item</b>	<b>Status</b>
Next year, the PPC will address BJA diversity, and will share that information with the BJA next March or May.	
Jeanne Englert will send a widely-broadcast e-mail with information about the Court System Education Funding Task Force Legislative Toolkit once the education budget request has been submitted.	
<u>October 18, 2019 BJA Meeting Minutes</u> <ul style="list-style-type: none"> <li>• Post the minutes online.</li> <li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li> </ul>	Done Done